

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND COMPOUNDING  
PHARMACY, INC. PRODUCTS LIABILITY  
LITIGATION

MDL No. 2419  
Master Dkt. 1:13-md-02419-RWZ

THIS DOCUMENT RELATES TO:

*Berry v. Ameridose, LLC, et al*, Case No. 1:13-  
cv-12838 (D. Mass.)

**NOTICE OF WITHDRAWAL OF MOTION WITHOUT PREJUDICE PERTAINING TO  
POTENTIAL BELLWETHER PLAINTIFF, FREDIA BERRY [DKT. 2570]**

Potential bellwether plaintiff, Fredia Berry, hereby provides notice of withdrawal of the motion filed with the court on January 12, 2016 captioned *Emergency MOTION to Compel St. Thomas Clinic Defendants to Produce Records in Response to Ms. Berry's First Sets of Requests for Production* [Dkt. No. 2570, the "Motion"] without prejudice.

WHEREFORE this Court is requested to disregard the Motion because it has been withdrawn.

Dated: February 5, 2016

Respectfully submitted,

**/s/ Benjamin A. Gastel**

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*Counsel for Fredia Berry  
Plaintiffs' Steering Committee  
Tennessee State Chair*

**CERTIFICATE OF SERVICE**

I, Benjamin A. Gastel, hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Dated: February 5, 2016

**/s/ Benjamin A. Gastel**

Benjamin A. Gastel